

# Clear Markets

December 17, 2013

Assistant Secretary of the Commission for FOI,  
Privacy and Sunshine Acts Compliance  
US Commodity Futures Trading Commission  
Three Lafayette Centre  
1155 21<sup>st</sup> Street, N.W.  
Washington, D.C. 20581

Re: Clear Markets Request for Confidential Treatment

Dear Sir or Madam:

Clear Markets North America, Inc. ("Clear Markets") is hereby submitting to the Secretary of the Commission and staff of the Division of Market Oversight the material described in Exhibit A to this letter (the "Confidential Submission").

As per the provisions of Commission Regulations 37.3(b)(2), 145.5 and 145.9, we hereby request confidential treatment of the Confidential Submission. Confidential treatment is requested, inter alia, on the grounds that the Confidential Submission contains data and information which would separately disclose business transactions and trade secrets that may not be disclosed to third parties, as provided in Section 8(a) of the Commodity Exchange Act and Commission Regulation 145.5(c)(1). Confidential treatment is also requested on the grounds that the Confidential Submission is exempt from disclosure under paragraph (b)(4) of the Freedom of Information Act ("FOIA") and Commission Regulations 145.5(d) and 145.9(d)(1)(ii) because it contains commercial and financial information that is confidential and would be of material assistance to competitors of Clear Markets.

In accordance with the provisions of paragraph (d)(5) of Regulation 145.9, we request that the Confidential Submission be afforded confidential treatment in perpetuity.

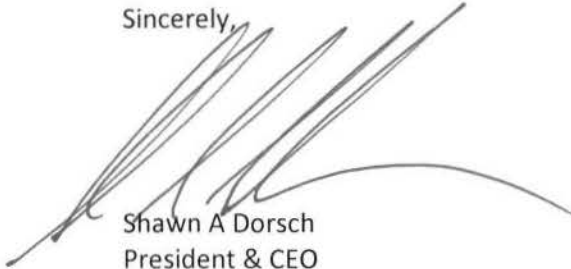
In the event the Commission receives a FOIA request for the Confidential Submission, we request that Commission Staff telephone or email the undersigned rather than rely on United States mail for notice of such requests.

If the Commission or its staff transmits any of the Confidential Submission to another federal agency, we request that the Commission or its staff forward a copy of this letter to any such agency with the Confidential Submission and further request that you advise any such agency that Clear Markets has requested this material be accorded confidential treatment.

# Clear Markets

Please direct any questions regarding this request for Confidential Treatment, as well as any notices pursuant to Commission Regulation 145.9(e) to the undersigned, using the contact information below.

Sincerely,

A handwritten signature in black ink, appearing to read 'Shawn A Dorsch', written over a horizontal line.

Shawn A Dorsch  
President & CEO  
Clear Markets North America, Inc.  
[shawn@clear-markets.com](mailto:shawn@clear-markets.com)  
704-906-8277

Enc. (Exhibit A)

Cc: Richard A Shilts, Division of Market Oversight  
David P. Van Wagner, Division of Market Oversight  
Maggie Sklar, Division of Market Oversight  
Alexis Hall-Bugg, Division of Market Oversight

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## Exhibit A

Name of Confidential Information	Identifying Code and Number
Exhibit A – Shareholders Over 10%	CMSEF Exhibit A Page 1
Exhibit A1 – Stockholder Voting Agreement	CMSEF Exhibit A1 Page 1 to Page 3
Exhibit E – Description of Personnel Qualifications	CMSEF Exhibit E Page to Page 3
Exhibit F – Analysis of Staffing Requirements	CMSEF Exhibit F Page 1 to Page 2
Exhibit H – Pending Material Litigation	CMSEF Exhibit H Page 1
Exhibit I – Financial Information	CMSEF Exhibit I Page 1 to Page 11
Exhibit J – Affiliate Financial Information	CMSEF Exhibit J Page 1
Exhibit K - Fees and Dues	CMSEF Exhibit K Page 1
Exhibit N – Executable Agreement List	CMSEF Exhibit N Page 1
Exhibit N-1 Employee Conduct & NDA	CMSEF Exhibit N-1 Page 1 to Page 7
Exhibit N-2 Authorized User Agreement	CMSEF Exhibit N-2 Page 1 to Page 5
Exhibit N-3 Market Maker Participant Agreement	CMSEF Exhibit N-3 Page 1 to Page 8
Exhibit N-4 Non-Market Maker Participant Agreement	CMSEF Exhibit N-4 Page 1 to Page 6
Exhibit N-5 Authorized Person Agreement	CMSEF Exhibit N-5 Page 1 to Page 5
Exhibit O Compliance Manual	CMSEF Exhibit O Page 1 to Page 57
Exhibit P Disciplinary and Enforcement Protocols	CMSEF Exhibit P Page 1 to Page 28
Exhibit Q Explanation of Applicants Trading System	CMSEF Exhibit Q Page 1 to Page 2
Exhibit R Rules Prohibiting Specific Trade Practices	CMSEF Exhibit R Page 1
Exhibit S Explanation of CMSEF Trade Data Maintenance	CMSEF Exhibit S Page 1
Exhibit T List of Clearing Originations	CMSEF Exhibit T Page 1
Exhibit U List of Information Subject to Confidential Treatment	CMSEF Exhibit U Page 1
Exhibit V Response to Technology Questionnaire Document List	CMSEF Exhibit V Page 1
Exhibit V-1 Response to Technology Questionnaire	CMSEF Exhibit V-1 Page 1 to Page 16
Exhibit V-2 Technology Exhibit V2	CMSEF Exhibit V-2 Page 1
Exhibit V-3 Technology Exhibit V3	CMSEF Exhibit V-3 Page 1 to Page 23
Exhibit V-4 Technology Exhibit V4	CMSEF Exhibit V-4 Page 1 to Page 18
Exhibit V-5 Technology Exhibit V5	CMSEF Exhibit V-5 Page 1
Exhibit V-6 Technology Exhibit V6	CMSEF Exhibit V-6 Page 1 to Page 13